

Message Text

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INFO AMEMBASSY GUATEMALA

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C O R R E C T E D C O P Y (MRN 3128 VICE 3428)

E.O. 11652: N/A

TAGS: PGOV, PINS, SHUM, NU

SUBJECT: NATIONAL DIALOG: TWO RECENT DEVELOPMENS

REF: MANAGUA 0926

SUMMARY: ON 7 JULY THERE WERE TWO POTENTIALLY IMPORTANT DEVELOPMENTS ON THE NICARAGUAN POLITICAL SCENE. PRESIDENT SOMOZA, IN A TELEVISED SPEECH, ANNOUNCED THAT HE WAS RETURNING TO THE CONGRESS THE ELECTORAL REFORM PACKAGE PASSED IN THE LAST SESSION--REJECTING ALL THE CONTROVERSIAL ISSUES IN THE REFORM INITIATIVE AND CALLING FOR A POLITICAL DIALOG TO ACHIEVE A REVISED REFORM PACKAGE. THAT SAME DAY, THE CHAMBER OF DEPUTIES ENGAGED IN LENGTHY DEBATE OVER REFORM OF THE RADIO AND TELEVISION CODE. END SUMMARY.

1. IN A 15-MINUTE SPEECH TELEVISED LIVE, SOMOZA ANNOUNCED THAT HE WAS RETURNING TO CONGRESS THE ELECTORAL REFORM PACKAGE PASSED IN ITS PREVIOUS SESSION. (NOTE: PRESIDENT'S ACTION
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WAS IN COMPLIANCE WITH REQUIREMENT THAT CONSTITUTIONAL REFORMS MUST BE PASSED IN TWO CONSECUTIVE SESSIONS OF CONGRESS. END NOTE) IN HIS OPENING REMARKS, SOMOZA RECALLED HIS 26 FEBRUARY SPEECH (REFTEL) IN WHICH HE PROMISED TO HAVE LIBERAL PARTY (PLN) DEPUTIES INTRODUCE CONSTITUTIONAL REFORMS TO THE ELECTORAL SYSTEM. HE THEN READ THE TEXT OF HIS LETTER TRANSMITTING THE DEVOLUTION OF THE REFORM PACKAGE.

2. IN HIS TRANSMITTAL LETTER, SOMOZA CITED THE IMPORTANCE OF THE REVISED ARTICLES 74 (ELIMINATION OF THE PROHIBITION AGAINST COMMUNIST PARTY), 330 (ELIMINATION OF THE SPECIAL IDENTIFICATION (CEDULACION) REQUIREMENT FOR REGISTRATION OF VOTERS), AND 331 (SEPARATION OF THE ELECTORAL LAW FROM THE CONSTITUTION) HE STATED THESE ARTICLES WERE IMPORTANT AND NECESSARY. SOMOZA NOTED IT WOULD BE IMPOSSIBLE TO PROVIDE ALL NICARAGUANS WITH CEDULAS (IDENTIFICATION CARDS) BEFORE THE 1981 ELECTIONS.

3. REGARDING THE PROPOSED REFORM OF THE ELECTORAL TRIBUNAL, SOMOZA SUGGESTED THAT A DIALOG TO ACHIEVE A POLITICAL CONSENSUS WAS NECESSARY BEFORE MAKING ANY CHANGES. SHOULD THIS DIALOG AND CONSENSUS FAIL TO MATERIALIZE, TIME REMAINED TO MAKE THESE REFORMS AT A LATER DATE. SOMOZA ALSO SUGGESTED CHANGING THE WORKING OF THE NEW ARTICLE 74 TO READ, "THE STATE GUARANTEES FREE POLITICAL ORGANIZATION PROVIDED THAT IT PROMOTES THE MAINTENANCE OF A DEMOCRATIC AND REPUBLICAN SYSTEM OF GOVERNMENT". THE PROPOSED NEW ARTICLES 330 AND 331 HE APPROVED AS SUBMITTED.

4. SOMOZA CLOSED HIS REMARKS WITH A CALL FOR NATIONAL DIALOG. FINDING A NEW APPROACH TO THE REFORMS WHICH HE HAD REJECTED SHOULD FORM THE BASIS OF THIS DIALOG. SOMOZA STATED THAT IF THE OPPOSITION PARTIES TRULY DESIRE FREE ELECTIONS IN ACCORDANCE WITH THE CONSTITUTION, THEN THEY WILL ENTER INTO DIALOG.

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5. LA PRENSA, ON JULY 8, ATTACKED SOMOZA'S DECISION, NOTING THAT SOMOZA'S PROPOSED REVISION OF ARTICLE 74 CLOSED THE COMMUNIST PARTY OUT OF THE ELECTORAL PROCESS. (NOTE:) IN FACT, THE REVISION ONLY REQUIRES THE SOCIALISTS TO SUBSCRIBE TO A DEMOCRATIC REPUBLICAN FORM OF GOVERNMENT. END NOTE.) THE ARTICLE CONTINUED THAT NO HONEST POLITICAL ORGANIZATION WOULD ENGAGE IN DIALOG WITH THE REGIME AFTER 44 YEARS OF "FALSIFICATION AND LIES". IN A SEPARATE ARTICLE IN THE SAME ISSUE, LA PRENSA ATTACKED THE SLOWNESS OF THE CEDULACION PROGRAM WHICH HAS BARELY STARTED DESPITE ITS APPROVAL 5 OR 6 YEARS AGO AND EXPENDITURES OF OVER 5.7 MILLION DOLLARS. THE ARTICLE CONTRASTED THIS SLOWNESS WITH THE COSTA RICAN EXPERIENCE WHERE CEDULACION WAS ACCOMPLISHED IN 3 YEARS. A CORRUPT GOVERNMENT, LA PRENSA CONCLUDED, FOR ITS OWN POLITICAL REASONS PREFERS TO HAVE THE FLEXIBILITY TO PERMIT "INFANTS, INVALIDS, AND DEAD PERSONS" TO VOTE IN "FARCICAL ELECTIONS".

6. LA PRENSA ALSO PUBLISHED ARTICLES ON 8 JULY ON THE DEBATE IN THE CHAMBER OF DEPUTIES REGARDING REFORM OF THE RADIO AND TELEVISION CODE. THE OPPOSITION WAS REPORTED AS DENOUNCING THE CODE AND THE MANNER OF ITS ENFORCEMENT BY COL. ALBERTO LUNA, DIRECTOR OF RADIO AND TELEVISION. THE GON'S PROMISE TO RE-

FORM THE CODE, LIKE ALL OTHER PROMISES, WAS WORTHLESS. IF THE GON WAS SINCERE IN ITS PROFESSIONS, THE FIRST STEP WOULD HAVE BEEN TAKEN LONG AGO, NAMELY, OUSTING LUNA FROM HIS POST AND SUSPENSION OF APPLICATION OF CODE. IMMEDIATE REFORMS WOULD THEN FOLLOW. PCN MOTIONS FOR IMMEDIATE SUSPENSION OF THE LAW WERE DEFEATED.

7. IN ITS ISSUE OF THE SAME DAY, NOVEDADES NOTED THAT A PLN MOTION TO HAVE THE PROPOSED REFORM OF THE CODE REFERRED TO A JOINT COMMITTEE WAS PASSED. REPRESENTATIVES OF THE PRESS ARE TO BE INVITED TO PARTICIPATE IN THE REFORM DELIVERATIONS. PLN POSITION WAS THAT "LAWS MUST ACCOMMODATE THEMSELVES TO THE NECESSITIES OF SOCIETY." THE PCN ACCUSED THE PLAN OF INACTION ON THE REGORM MOTION WHEN IT WAS ACCEPTED IN THE PREVIOUS SESSION. THE LIMITED OFFICIAL USE

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PLS DEPUTY WHO HAD HEADED THE GOVERNMENT COMMITTEE IN THE PREVIOUS SESSION RESPONDED THAT THE ELECTORAL REGORMS, DUE TO THEIR BEING CONSTITUTIONAL MEASURES, TOOK PRIORITY OVER ALL OTHER BUSINESS. PLN SPOKESMAN, LUIS PALLAIS, SPOKE IN FAVOR OF RAPID ACTION OF THE COMMITTEES STUDYING THE REFORM.

8. COMMENT: SOMOZA'S REJECTION OF THE MAJORITY OF THE ELECTORAL REFORMS LEAVES OPEN TO NEGOTIATION THE MOST IMPORTANT POINTS OF ANY ELECTORAL REFORM --I.E., THE COMPOSITION OF THE ELECTORAL TRIBUNAL AND THE MECHANISM FOR ELIMINATING ELECTORAL FRAUD. WITHOUT AN EFFECTIVE VOER REGISTRATION/IDENTIFICATION SYSTEM, THERE WILL BE INCREASED SUSPICION OF THE POSSIBILITIES FOR FRAUD. HOWEVER, THE MOST IMPORTANT SINGLE FACTOR IS THE STRUCTURE OF THE ELECTORAL TRIBUNAL. THE OFFICIAL CONSERVATIVES ARE CONSIDERING HOW TO RESPOND TO THEIR RENEWED OPPORTUNITY TO INFLUENCE THE TRIBUNAL STRUCTURE. THEY WOULD LIKE TO BE ABLE TO ACT IN THE CONGRESS ON THE BASIS OF AN OPPOSITION CONSENSUS. WITHOUT SUCH A CONSENSUS, THEY MAY BOYCOTT THE ELECTORAL REFORM DEBATES AS THEY DID DURING THE LAST SESSION OF CONGRESS. SOLAUN

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